

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

NEW MEXICO UNITED FOOD AND  
COMMERCIAL WORKERS UNION'S AND  
EMPLOYERS' HEALTH AND WELFARE TRUST  
FUND, on behalf of itself and all others similarly  
situated,

Plaintiff,

V.

PURDUE PHARMA L.P., et al.,

Defendants.

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**Civil Action No. 07-cv-6916-JGK**

**DECLARATION OF  
DONALD I STRAUBER IN  
FURTHER SUPPORT OF THE  
INDIVIDUAL DEFENDANTS'  
MOTION FOR JUDGMENT  
ON THE PLEADINGS**

DONALD I STRAUBER, hereby declares as follows:

1. I am a member of the law firm of Chadbourne & Parke LLP, counsel to defendants Howard R. Udell, Paul D. Goldenheim, and Michael Friedman (the "Individual Defendants") in the above-referenced litigation. I make this declaration in further support of the Individual Defendants' Motion for Judgment on the Pleadings.

2. Attached hereto as Exhibit A is a true and correct copy of an advertisement for OxyContin® Tablets that appeared in the November 13, 2002 issue of The Journal of the American Medical Association.

3. Attached hereto as Exhibit B is a true and correct copy of an Opinion and Order, entered July 23, 2007 by the Honorable James P. Jones, in *United States of America v. The Purdue Frederick Company, Inc., et al.*, Western District of Virginia Case No.

1:07CR00029.

4. Attached hereto as Exhibit C is a true and correct copy of the transcript of U.S. Attorney for the Western District of Virginia John L. Brownlee's testimony before the Senate Judiciary Committee on July 31, 2007.

5. Attached hereto as Exhibit D is a true and correct copy of a statement submitted by U.S. Attorney for the Western District of Virginia John L. Brownlee to the Senate Judiciary Committee on July 31, 2007.

I declare that the foregoing is true and correct.

Executed on: February 19, 2008

/s Donald I Strauber

Donald I Strauber